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## Via ECF Filing Only

The Honorable Analisa Torres  
United States District Court  
500 Pearl Street  
New York, New York 10007

Re: Health & Welfare Fund of the United Food & Commercial Workers Local 2013,  
AFL-CIO v. Elener Associates, LLC d/b/a Riverdale Manor Home for Adults  
Civil Case No. 19-CIV-9345 (AT) (GWG)

Dear Judge Torres:

Our office represents Plaintiff Health & Welfare Fund of the United Food & Commercial Workers Local 2013, AFL-CIO in connection with the above-captioned matter which is currently scheduled for an initial pretrial conference on December 19, 2019 at 12:00 p.m. Unfortunately, the undersigned, along with my firm's senior counsel, are both scheduled to participate in a court ordered mediation session which is commencing at 10:30 a.m. on December 19th in the matter of *DeRogatis v. Board of Trustees*, SDNY Case No. 14-CIV-8863 (CM). The mediation session is being held in the mediator's mid-town office and I anticipate the session lasting all day. Due to this conflict, I respectfully request that the initial conference be rescheduled. I have been in contact with Defendant's counsel, Shannon D. Azzaro, and both parties are available on December 23rd if that date is convenient for the Court. Otherwise, the both of us are unavailable between Christmas and New Year's and would then respectfully request that the conference be held in early January. Ms. Azzaro has no objection to this application.

Thank you for your attention to this matter.

Respectfully submitted,

*/s/ James M. Steinberg*

James M. Steinberg, Esq.

GRANTED. The initial pretrial conference scheduled for December 19, 2019 is ADJOURNED to **January 7, 2020**, at **12:40 p.m.** By **December 31, 2019**, the parties shall submit their proposed case management plan and joint letter.

SO ORDERED.



ANALISA TORRES  
United States District Judge

Dated: December 4, 2019  
New York, New York